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Practitioner's Docket No.

001350

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand comer of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.' M.P.E.P. § 601, 7th ed.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): DARREN J. LONGHORN

GLENN ROBSON

WARNING: 37 C.F.R. § 1.41(a)(1) points out:

(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

For (title): BROADCAST DATA SYSTEM AND APPARATUS

CERTIFICATION UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date _____ I ___ I ____ in an envelope deposited with the United States Postal Service on this date ... as "Express Mail Post Office to Addressee," malling Label Number EL197553081 dressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal [4-1]-page 1 of 11)



1. Type of Application

This new application is for a(n)

(check one applicable item below)

XX Origin	al (nonprovisional)
☐ Design	า
☐ Pla	nt
U.S.C	ot use this transmittal for a completion in the U.S. of an International Application under 35 3. § 371(c)(4), unless the International Application is being filed as a divisional, continuation ntinuation-in-part application.
WARNING: Do no	ot use this transmittal for the filing of a provisional application.
TRANSMI	e following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION ITAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION T APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.
☐ Divisio	onal.
☐ Contir	nuation.
☐ Contir	nuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or
 - (ii) Complete as set forth in § 1.51(b); or
- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(New Application Transmittal [4-1]-page 2 of 11)

- WARNING: When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).
 - 欧 The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Pa	pers	Enc	losed
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Pa	per	s En	closed
A.			I for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 Application
_20	_ Pa	ges	of specification
2	_ Pa	ges	of claims
	_ Sh	eets	of drawing
WAR	NING:	filin sm dra the For	NOT submit original drawings. A high quality copy of the drawings should be supplied when a part application. The drawings that are submitted to the Office must be on strong, white, both, and non-shiny paper and meet the standards according to § 1.84. If corrections to the twings are necessary, they should be made to the original drawing and a high-quality copy of corrected original drawing then submitted to the Office. Only one copy is required or desired. It comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 62).
NOTE	inv the	entoi Offic the l	ring indicia, if provided, should include the application number or the title of the invention, it's name, docket number (if any), and the name and telephone number of a person to call if se is unable to match the drawings to the proper application. This information should be placed back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top lege" 37 C.F.R. § 1.84(c)).
			(complete the following, if applicable)
		"PE	enclosed drawing(s) are photograph(s), and there is also attached a TITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." C7 C.F.R84(b).
		fom	nal
		info	rmal
B.	Oth	er Pa	apers Enclosed
_2	Pa	ages	of declaration and power of attorney
_1	_ Pa	ages	of abstract
	_ 0	her	
. A	dditi	onal	papers enclosed
,		Ame	endment to claims
			Cancel in this applications claims before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
			Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)
:	ХX	Pre	liminary Amendment
		Info	rmation Disclosure Statement (37 C.F.R. § 1.98)
		Fon	m PTO-1449 (PTO/SB/08A and 08B)
	П	Cita	utions

(New Application Transmittal [4-1]—page 3 of 11)

	Decl	aration of Biological Deposit
	pert	mission of "Sequence Listing," computer readable copy and/or amendment aining thereto for biotechnology invention containing nucleotide and/or acid sequence.
	Auth tive	orization of Attorney(s) to Accept and Follow Instructions from Representa-
	Spe	cial Comments .
	Othe	er en
5. Deci	aratio	n or oath (including power of attorney)
	the prior by all or applicate the sign by a sta being fi declarate person execute	executed declaration is not required in a continuation or divisional application provided that it nonprovisional application contained a declaration as required, the application being filed is rewer than all the inventors named in the prior application, there is no new matter in the ion being filed, and a copy of the executed declaration filed in the prior application (showing ature or an indication thereon that it was signed) is submitted. The copy must be accompanied tement requesting deletion of the names of person(s) who are not inventors of the application led. If the declaration in the prior application was filed under § 1.47, then a copy of that ion must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3).
	is direct abbrevia country	ration filed to complete an application must be executed, identify the specification to which it ed, identify each inventor by full name including family name and at least one given name, without ation together with any other given name or initial, and the residence, post office address and or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 (5.1.63(a)(1)-(4).
	as presonas	rentorship of a nonprovisional application is that inventorship set forth in the oath or declaration cribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration cribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship oventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under agraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name as of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).
ĮŽ.	k Enc	losed
	Exe	cuted by
		(check all applicable boxes)
	₩	inventor(s).
		legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.
		joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
		☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.
	•	Enclosed.
NOTE:	the U.S	the filing is a completion in the U.S. of an International Application or where the completion of application contains subject matter in addition to the International Application, the application treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE EW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.
		Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all the above named inventor(s).
		(New Application Transmittal [4-1]—page 4 of 11)

(The declaration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).
☐ Showing that the filing is authorized. (not required unless called into question. 37 C.F.R. § 1.41(d))
6. Inventorship Statement
WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.
The inventorship for all the claims in this application are::
xx The same.
or
Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
☐ is submitted.
☐ will be submitted.
7. Language
NOTE: An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).
XX English
☐ Non-English
The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).
8. Assignment
XX An assignment of the invention to PACE MICRO TECHNOLOGY Plc
is attached. A separate ★★ "COVER SHEET FOR: ASSIGNMENT (DOCU-MENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.
will follow.
NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).
WARNING: A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation- in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.
(New Application Transmittal [4-1]—page 5 of 11

9. Certifie	d Copy
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	d copy(ies) of a	application(s)) / · · ·	12 Tax	nuary 2000
U. ⊮ Count		000038	Appln. No.	13_Uar	Filed
Count	try		Appin. No.		Filed
Count	try		Appln. No.		Filed
from whi	ch priority is cla	aimed			
	is (are) attach				
	will follow.				
NOTE:	-			or priority must	be referred to in the oath or
;	U.S. application or a § 120 is itself entitle	International Applic ad to priority from	ation from which ti prior foreign appl	his application cl ication, then con	directly relates. If any parent aims benefit under 35 U.S.C. aplete item 18 on the ADDED PRIOR U.S. APPLICATION(S)
10. Fee	Calculation (37 C.F.R. § 1.1	16)		
A. (3)	Regular appli	cation			
		CL	AIMS AS FILED)	
Nur	mber filed	Nu	mber Extra	Rate	Basic Fee 37 C.F.R. § 1.16(a) \$760.00
Total					****
	37 C.F.R.				
§ 1.16(c))	- 20 =	×	\$ 18.00	
Independ					
-	37 C.F.R.	- 3 =	V	\$ 78.00	
§ 1.16(b)			×	\$ 75.00	
•	dependent clair 37 C.F.R. § 1.1	• •	+	\$260.00	
	Amendment	cancelling extr	a claims is end	closed.	
	Amendment	deleting multip	le-dependencie	es is enclosed	d.
	Fee for extra	claims is not	being paid at t	this time.	
	prior to the expirat	ion of the time pe	riod set for respons	be paid or the cla se by the Patent	ims cancelled by amendment and Trademark Office in an
	notice of fee defici	•	1.16(a). e Calculation		\$ 710.00
в. 🗆	Design appli	_			
	(40.0.00	_	e Calculation		\$

(New Application Transmittal [4-1]—page 6 of 11)

c. \Box	Plant application
	(\$480.00—37 C.F.R. § 1.16(g))
	Filing fee calculation \$
11. Sma	ili Entity Statement(s)
	Statement(s) that this is a filing by a small entity under 37 C.F.R. § 1.9 and 1.27 is (are) attached.
WARNING	3: "Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. § 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent if the nonprovisional application or the reissue application includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).
WARNING	 "Small entity status must not be established when the person or persons signing the statement can unequivocally make the required self-certification." M.P.E.P., § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).
	(complete the following, if applicable)
	Status as a small entity was claimed in prior application
	, filed on, from which benefit
	is being claimed for this application under:
	35 U.S.C. § ☐ 119(e),
	□ 120, □ 121,
	□ 365(c),
	and which status as a small entity is still proper and desired.
	☐ A copy of the statement in the prior application is included.
	Filing Fee Calculation (50% of A, B or C above)
	\$
ε	Any excess of the full fee paid will be refunded if small entitiy status is established and a refund request are filed within 2 months of the date of timely payment of a full fee. The two-month period is not extendable under § 1.136. 37 C.F.R. § 1.28(a).
12. Req	uest for International-Type Search (37 C.F.R. § 1.104(d))
	(complete, if applicable)
	Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payr	nent Being Made at This Time	
☐ Not	Enclosed	
	No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. subsequently.)	3 1.16(e) can be pald
∑k Enc	elosed	
	Filing fee	\$ 710.00
XX	Recording assignment (\$40.00; 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$ _40.00
	Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached (\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i))	\$
	For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$
	Processing and retention fee (\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l))	\$
	Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$
failing 37 C.F either	F.R. § 1.21(I) establishes a fee for processing and retaining any app to complete the application pursuant to 37 C.F.R. § 1.53(I) and to F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the bend the basic filing fee must be paid, or the processing and retention 1 year from notification under § 53(I).	nis, as well as the changes to efit of a prior U.S. application, fee of § 1.21(I) must be paid,
	Total fees enclosed	\$750.00
	of Payment of Fees	
	eck in the amount of \$ 750.00	•
	narge Account No.	. In the amount of
	duplicate of this transmittal is attached.	
NOTE: Fees s § 1.22	should be itemized in such a manner that it is clear for which purpo 2(b).	se the fees are paid. 37 C.F.R

(New Application Transmittal [4-1]—page 8 of 11)

15. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

- The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 08-1500 ::
 - ** 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)
 - 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

- 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- xx 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).
- XX 37 C.F.R. § 1.17 (application processing fees)

NOTE: "... A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

- 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))
- NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).
- NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . " From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

(New Application Transmittal [4-1] -- page 9 of 11)

16. Instructions	as to	Overpayment
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6. Inst	ructions as to Overpayment
	" Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).
ΧX	Credit Account No08-1500
	Refund
	·
	-

Reg. No. 32,840

Tel. No. (918) 587-2000

Customer No. 24 , 118

MARK G. KACHIGIAN (type or print name of attorney) 228 West 17th Place P.O. Address

Tulsa, Oklahoma 74119

(New Application Transmittal [4-1]—page 10 of 11)

V V	Incorporation	hv	reference	of	babbs	nages
444	mcorporation	IJy	Letel elice	O1	auuou	hages

(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)

	ХX	Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed
		Number of pages added
		Plus Added Pages for Papers Referred to in Item 4 Above
		Number of pages added
		Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.
		Number of pages added
		Plus "Assignment Cover Letter Accompanying New Application"
		Number of pages added
	State	ment Where No Further Pages Added
		f no further pages form a part of this Transmittal, then end this Transmittal with his page and check the following item)
		This transmittal ends with this page.

U.K.		0000584.3	n(s) foreign priority(les) as folio 13 January 2000	
	Country	Appln. no.	Filed on	
The cert	ified copy(les) has (•		
	been filed on		tion 0 /, whic	h was
	• •	Will follow	nay have been communicated to the	
	application communic a U.S. serial number ur stage is not entered. prosecution of a conti documents from the fo to request transfer, ret enter and make a reco the priority, document	cated by the International Buniess the national stage is enter Therefore, such certified cop- Inuing application. An alterna- olders and transfer them to the rieve the folders, make suitable and of such coples in the Cont	s so because the certified copy of the reau is placed in a folder and is not a red. Such folders are disposed of if the les may not be available if needed late tive would be to physically remove the continuing application. The resources a record notations, transfer the certified inuing Application are substantial. Accomplications that have not entered the 187 (1079 O.G. 32 to 46).	nssigned national er in the er priority required topies, ordingly,
19. Mai		endency of Prior A		
re	he PTO finds it useful if a sponse is filed with the ovember 5, 1985 (1060 (papers constituting the filia	n the prior application extending the ng of the continuation application. N	term for lotice of
A. 🗆	Extension of time i	in prior application		
(This		npleted and the papers lod set in the prior app	filed in the prior application lication has run.)) ,
	A petition, fee and until		term in the pending prior appl	lication
	☐ A copy of the	petition filed in prior a	pplication is attached.	
			in Drier Application	
в. 🗆	Conditional Petition	n for Extension of Time	in Phor Application	
B. 🗆		n for Extension of Time this item, if previous ite		
B. []	(complete	this item, if previous ite		g prio r